

### **REMARKS/ARGUMENTS**

The Examiner has rejected Applicant's claims as either anticipated by or obvious over the teachings of the '365 patent to Barinaga et al.

Applicant's base method claim 1 and base article claim 11 define the invention as a seal for sealing at the juncture of three separate assembled parts or members.

The seal has three prongs or projections extending from a central portion with an embedded stiffener or strain distributor.

The Barinaga '365 patent defines a two-piece fluid conduit connector with one piece including an elastomeric perimeter seal formed by overmolding over a plastic substrate. The seal subassembly thus formed as shown in FIG. 2 of the '365 patent is then assembled to a host member or part shown in FIG. 3 of the '365 reference to provide a two-piece assembly as shown in cross section in FIGS. 6 and 7 of the '365 reference.

In another embodiment of the '365 reference a seal subassembly 55 shown in FIG. 9 is assembled with a host part 66 shown in FIG. 10 which is shown in the assembled condition in FIG. 11. Other embodiments are described in FIGS. 12 through 19 of the '365 reference which comprise modified versions of the basic two member assembly for providing a fluid conduit.

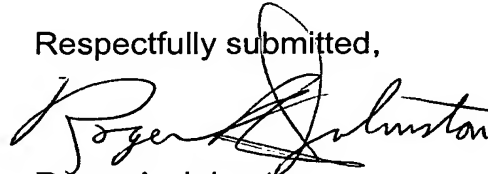
Applicant's seal, by definition, seals at the juncture of the assembly of three separate members as opposed to the two member assembly of Barinaga '365.

The Examiner's rejection is thus based on a misreading of Applicant's claims on the cited references; and, is therefore erroneous.

Applicant's claim 19 recites an assembly of an engine block, cylinder head and valve deactivation manifold which have a common junction for which the present seal is employed. The absence of any references cited which are related to sealing the assembly of the engine parts recited in claim 19 is *prima facie* an indication that the claim describes patentable subject matter.

Accordingly, in view of the amendments made herein and for the reasons set forth above, it is submitted that the claims describe patentable subject matter and therefore withdrawal of the Examiner's rejection and allowance of the claims is hereby requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Roger A. Johnston". The signature is fluid and cursive, with a large loop at the end.

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